

1 RENE L. VALLADARES
Federal Public Defender
2 Nevada State Bar No. 11479
3 KEISHA K. MATTHEWS
Assistant Federal Public Defender
4 411 E. Bonneville, Ste. 250
Las Vegas, Nevada 89101
5 (702) 388-6577/Phone
Keisha_Matthews@fd.org

6 Attorney for Angie Lewis

7
8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 ANGIE LEWIS,

14 Defendant.

Case No. 2:22-mj-00371-BNW

**UNOPPOSED MOTION TO AMEND
COUNT ONE OF THE GUILTY PLEA,
EARLY TERMINATION OF
PROBATION AND STATUS REPORT¹**

15
16 Defendant Angie Lewis, by and through his attorney of record, Keisha K. Matthews,
17 Assistant Federal Public Defender, moves this Court pursuant to 18 U.S.C. § 3564(c) to
18 amend Count One of the guilty plea, and early terminate her one-year unsupervised probation.
19 This Unopposed Motion to Amend Count One of the Guilty Plea, Early Termination of
20 Probation and Status Report is based on the following Memorandum of Points and
21 Authorities.
22
23
24
25
26

¹ This motion is timely filed, no deadline applicable.

1 DATED this 7th day of September 2023.

2 RENE L. VALLADARES
3 Federal Public Defender

4 /s/ Keisha K. Matthews

5 KEISHA K. MATTHEWS
6 Assistant Federal Public Defender
7 Attorney for Angie Lewis
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

MEMORANDUM OF POINTS AND AUTHORITIES

On May 5, 2022, Ms. Lewis was charged in a four-count complaint with Count One, Operating a Motor Vehicle while Under the Influence of Alcohol in violation of 36 C.F.R. § 4.23(a)(1), Count Two, Operating a Motor Vehicle with a BAC of 0.08 Grams and Higher in violation of 36 C.F.R. § 4.23(a)(2), Count Three Stopping on Roadway in violation of 36 C.F.R. § 4.13(a), and Count Four, Driving Without a Valid Driver's License in violation of 36 C.F.R. § 4.2(b); N.R.S. 483B.(1).² On February 8, 2023, Ms. Lewis entered into a guilty plea agreement to Count One of the complaint- Operating a Motor Vehicle while Under the Influence of Alcohol in violation of 36 C.F.R. § 4.23(a)(1).³ The remaining Counts were dismissed. This Court adopted the terms outlined in the agreement and sentenced Ms. Lewis to one-year unsupervised probation, a fine of \$500 and a \$10 assessment fee or fifty hours community service; completion of the following Lower Court Counseling's courses: 1. DUI course, 2. Victim Impact Panel, and 3. Eight hours of online alcohol awareness courses; a six-month Lake Mead restriction, and no negative law enforcement contact.⁴

If Ms. Lewis completed the above conditions within the first six-months after sentencing, the government agreed to amend Count One to Reckless Driving, a violation of 36 C.F.R. § 4.2 and N.R.S. 484B.653.

Ms. Lewis promptly completed the online course and proof of completion was submitted to the government on April 5, 2023. It was confirmed on August 17, 2023, through government counsel that Ms. Lewis has not had any new law enforcement contact. Ms. Lewis has paid \$250 towards the fine and completed twenty-five hours community service. She has also complied with the Lake Mead restriction. Ms. Lewis has satisfied all of the required conditions of supervision.

² See ECF No. 1.

³ See ECF No. 17.

⁴ *Id.*

Pursuant to 18 U.S.C. § 3564(c):

The court, after considering the factors set forth in section 3553(a) to the extent that they are applicable, may, pursuant to the provisions of the Federal Rules of Criminal Procedure relating to the modification of probation, terminate a term of probation previously ordered and discharge the defendant at any time in the case of a misdemeanor... if it is satisfied that such action is warranted by the conduct of the defendant and the interest of justice.

The parties agree that Ms. Lewis' compliance with the terms of the plea agreement and her positive performance on unsupervised probation warrant the amending of her guilty plea and the early termination of her probation term. Ms. Lewis respectfully requests this Court grant the unopposed motion for Count One to be amended to Reckless Driving in violation of 36 C.F.R. § 4.2 and N.R.S. 484B.653, the early termination of probation and close her case.

DATED this 7th day of September 2023.

Respectfully submitted,

RENE L. VALLADARES
Federal Public Defender

/s/ Keisha K. Matthews

By _____
KEISHA K. MATTHEWS
Assistant Federal Public Defender
Attorney for Angie Lewis

Accordingly, IT IS HEREBY ORDERED that:

- 1) Count One of the guilty plea is amended to Reckless Driving in violation of 36 C.F.R. § 4.2 and N.R.S. 484B.653; and
- 2) Defendant's probation is terminated immediately.

IT IS SO ORDERED

DATED: 11:41 am, September 12, 2023



BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE